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14 ATTORNEYS FOR PLAINTIFFS AND THE CLASS

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15 UNITED STATES DISTRICT COURT  
16 FOR THE EASTERN DISTRICT OF CALIFORNIA  
17 SACRAMENTO, CALIFORNIA

18 CHRISTINE A. CUMMINGS; *et al.*, ON BEHALF OF  
19 THEMSELVES AND THE CLASS THEY  
20 REPRESENT,

21 Plaintiffs,

22 v.

23 KATHLEEN CONNELL, Controller, State of  
24 California; *et al.*,

25 Defendants.

CASE No. CIV-S-99-2176 WBS DAD

**STIPULATION AND PROPOSED ORDER  
FOR EXTENSION OF TIME**

**HEARING DATE:** Tuesday, 5 September  
2006

**TIME:** 1:30 p.m.  
**COURTROOM OF JUDGE SHUBB,  
COURTROOM 5, 15TH FLOOR**

26 Plaintiffs Christine A. Cummings, *et al.*, on behalf of themselves and the class they represent  
27 (“the Nonmembers”), hereby file their Stipulation and Proposed Order for an Extension of Time to file  
28 their joint (with Defendants) motion, pursuant to Rule 23(e)(1)(A) and/or 23(h), FED.R.CIV.P., Rule  
54(d)(2), FED.R.CIV.P., and CIV.L.R. 54-293, E.D.CAL., for approval of a [Proposed] Class Notice  
regarding the settlement of the issue of attorneys’ fees, costs, and expenses in the above-referenced  
matter, and in support thereof state:

1. This Court entered its final Amended Judgment in a Civil Case on 5 July 2006 (Clerk’s

1 Docket No. 272).

2 2. Pursuant to CIV.L.R. 54-293, E.D.CAL., Plaintiffs' Petition for Attorneys' Fees, Costs,  
3 and Expenses Pursuant to 42 U.S.C. § 1983 would, in the normal course of matters, be due thirty days  
4 thereafter, on 4 August 2006.

5 3. The Nonmembers and Defendant SEIU Local 1000 have reached a tentative agreement  
6 settling the Nonmembers' claim for attorneys' fees, costs, and expenses, and are currently in the  
7 process of preparing the documents necessary to enter into that settlement, seek the Court's approval  
8 of a notice necessary to notify the member of the class pursuant to Rule 23(e)(1)(A) and/or 23(h),  
9 FED.R.CIV.P., and to facilitate, contemporaneously therewith, distribution of nominal damages  
10 awarded by this Court.

11 4. While the parties had hoped to file the necessary documents within the normal deadline  
12 contemplated by CIV.L.R. 54-293, E.D.CAL., their intentions have proven too ambitious, and it appears  
13 that a short, fourteen-day extension will provide a prudent time necessary to finalize the required  
14 documents.

15 5. Counsel for Defendants have been informed of Plaintiffs' intention to file this Motion,  
16 and have authorized Plaintiffs' counsel to represent that they stipulate to it.

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1 WHEREFORE, the Nonmembers respectfully request that the Court enter an Order granting  
2 them a fourteen-day extension in which to file their motion for approval of a [Proposed] Class Notice  
3 regarding the settlement of the issue of attorneys' fees, costs, and expenses in the above-referenced  
4 matter

5 DATED: 3 August 2006

6 Respectfully submitted,

7 /s/ W. James Young

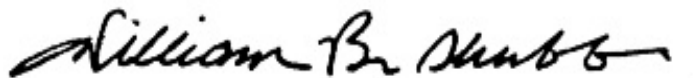
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16 ATTORNEYS FOR PLAINTIFFS AND THE CLASS

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19 IT IS SO ORDERED.

20 Dated: August 4, 2006

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23 WILLIAM B. SHUBB  
24 UNITED STATES DISTRICT JUDGE

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26 Monday, 7 August 2006, 11:37:32 AM  
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**CERTIFICATE OF SERVICE**

I, W. James Young, counsel for Plaintiffs, hereby certify that I electronically filed with the Clerk of Court the foregoing **Stipulation and Proposed Order for Extension of Time**, using the CM/ECF system which will send notification of such filing to Defendants' counsel, this 3rd day of August, 2006.

/s/ W. James Young

W. JAMES YOUNG